

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SAXON INNOVATIONS, LLC,

Plaintiff,

v.

NOKIA CORP.,
a Finland Corporation,

NOKIA, INC.,
a Delaware Corporation,

LG ELECTRONICS INC.,
a Korean Corporation,

LG ELECTRONICS U.S.A., INC.
a Delaware Corporation,

LG ELECTRONICS MOBILECOMM
U.S.A. INC.
a California Corporation

SAMSUNG ELECTRONICS CO., LTD.,
a Korean Corporation,

SAMSUNG ELECTRONICS AMERICA,
INC.,
a New York Corporation,

SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC,
a Delaware Corporation,

PALM, INC.,
a Delaware Corporation,

RESEARCH IN MOTION LTD.,
a Canadian Corporation,

RESEARCH IN MOTION
CORPORATION,

Civil Action No. 6:07-cv-490 LED

JURY TRIAL DEMANDED

a Delaware Corporation,)
)
HIGH TECH COMPUTER CORP.,)
a Taiwanese Corporation,)
)
HTC AMERICA, INC.)
a Texas Corporation)
)
SHARP CORPORATION,)
a Japanese Corporation,)
)
SHARP ELECTRONICS CORP.,)
a New York Corporation,)
)
NINTENDO CO., LTD.,)
a Japanese Corporation, and)
)
NINTENDO OF AMERICA,)
a Washington Corporation,)
)
Defendants.)
_____)

PLAINTIFF'S FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT

Plaintiff Saxon Innovations, LLC (“Saxon”) alleges against Defendants Nokia Corp., Nokia, Inc., LG Electronics, Inc., LG Electronics U.S.A., Inc., LG Electronics Mobilecomm U.S.A., Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, Palm, Inc., Research in Motion, Ltd., Research in Motion Corporation, High Tech Computer Corp., HTC America, Inc., Sharp Corp., Sharp Electronics Corp., Nintendo Co., Ltd., and Nintendo of America (collectively, Defendants) as follows:

JURISDICTION

1. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and § 1338(a).

VENUE

2. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 28 U.S.C. § 1400(b) because Saxon is incorporated in this judicial district, and is subject to personal jurisdiction here.

THE PARTIES

3. Plaintiff Saxon Innovations, LLC is a Texas corporation. Saxon maintains corporate offices at 100 E. Ferguson, Suite 816, First Place, Tyler, TX 75702. Saxon is in the business of developing and licensing technology related to communications products.

4. Defendant Nokia Corp. and Nokia Inc. (hereinafter collectively referred to as “Nokia”) have already entered an appearance in this action so service will be effectuated through their counsel of record.

5. Nokia is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices, wireless infrastructure and enterprise communications systems.

6. Defendants LG Electronics, Inc. and LG Electronics U.S.A., Inc. have already entered an appearance in this action so service will be effectuated through their counsel of record. Defendant LG Electronics Mobilecomm U.S.A., Inc. is a corporation organized and existing under the laws of the State of California, with its principal place of business in California. It will be served with a summons via certified mail, return receipt requested, by delivering a copy of this complaint and a summons to its registered agent for service of process CT Corporation System, 350 N. St. Paul Street, Dallas, Texas 75201. LG Electronics, Inc., LG

Electronics U.S.A., Inc. and LG Electronics Mobilecomm U.S.A., Inc. are herein collectively referred to as “LG.”

7. LG is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices.

8. Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America (hereinafter collectively referred to as “Samsung”) have already entered an appearance in this action so service will be effectuated through their counsel of record.

9. Samsung is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices, wireless infrastructure and enterprise communications systems, as well as semiconductors used in such products and systems.

10. Defendant Palm, Inc. (“Palm”) has already entered an appearance in this action so service will be effectuated through its counsel of record.

11. Palm is in the business of making, offering for sale, selling and supporting a variety of personal communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices.

12. Defendants Research In Motion Ltd. and Research In Motion Corporation (hereinafter collectively referred to as “RIM”) have already entered an appearance in this action so service will be effectuated through their counsel of record.

13. RIM is in the business of making, offering for sale, selling and supporting wireless hardware, software and services including, but not limited to, cell phones, handheld computers and other wireless communications devices.

14. Defendant High Tech Computer Corp. has already entered an appearance in this action so service will be effectuated through its counsel of record. HTC America, Inc. is a corporation organized and existing under the laws of the State of Texas, with its principal place of business located in Texas. It will be served with a summons via certified mail, return receipt requested, by delivering a copy of this complaint and a summons to its registered agent for service of process, Christina C. Hsu, at 15224 Interlachen Drive, Austin, Texas 78717. High Tech Computer Corp. and HTC America, Inc. are collectively referred to herein as “HTC.”

15. HTC is in the business of making, offering for sale, selling and supporting wireless hardware, software and services including, but not limited to, cell phones, handheld computers and other wireless communications devices.

16. Defendants Sharp Corporation and Defendant Sharp Electronics Corporation (hereinafter collectively referred to as “Sharp”) have already entered an appearance in this action so service will be effectuated through their counsel of record.

17. Sharp is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices.

18. Defendants Nintendo Co., Ltd. and Nintendo of America (hereinafter collectively referred to as “Nintendo”) have already entered an appearance in this action so service will be effectuated through their counsel of record.

19. Nintendo is in the business of making, offering for sale, selling and supporting gaming devices, including gaming devices operating over wireless networks.

COUNT I

(Infringement of U.S. Patent No. 5,592,555)

20. On January 7, 1997, United States Patent No. 5,592,555 (the '555 Patent), for an invention entitled "Wireless Communications Privacy Method and System," was duly and legally issued by the United States Patent Office (a copy of the '555 patent is attached herewith as Exhibit A). Saxon is the owner of the '555 Patent.

21. On information and belief, Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the '555 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

22. Saxon has been damaged by Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo's infringement, which will continue unless enjoined by this Court.

COUNT II

(Infringement of U.S. Patent No. 5,771,394)

23. On June 23, 1998, United States Patent No. 5,771,394 (the '394 Patent), for an invention entitled "Apparatus Having Signal Processors for Providing Respective Signals to Master Processor to Notify that Newly Written Data Can Be Obtained from One or More Memories," was duly and legally issued by the United States Patent Office (a copy of the '394 patent is attached herewith as Exhibit B). Saxon is the owner of the '394 Patent.

24. On information and belief, Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and

Nintendo have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the '394 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

25. Saxon has been damaged by Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo's infringement, which will continue unless enjoined by this Court.

COUNT III

(Infringement of U.S. Patent No. 5,502,689)

26. On March 26, 1996, United States Patent No. 5,502,689 (the '689 Patent), for an invention entitled "Clock Generator Capable of Shut-Down Mode and Clock Generation Method," was duly and legally issued by the United States Patent Office (a copy of the '689 patent is attached herewith as Exhibit C). Saxon is the owner of the '689 Patent.

27. On information and belief, Nokia, LG, Samsung, Palm, RIM, HTC, Sharp, and Nintendo have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the '689 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

28. Saxon has been damaged by Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo's infringement, which will continue unless enjoined by this Court.

COUNT IV

(Infringement of U.S. Patent No. 5,247,621)

29. On September 21, 1993, United States Patent No. 5,247,621 (the '621 Patent), for an invention entitled "System and Method for Processor Bus Use," was duly and legally issued

by the United States Patent Office (a copy of the '621 patent is attached herewith as Exhibit D). Saxon is the owner of the '621 Patent.

30. On information and belief, Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the '621 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

31. Saxon has been damaged by Nokia, LG, Samsung, Palm, RIM, HTC, Sharp and Nintendo's infringement, which will continue unless enjoined by this Court.

WHEREFORE, Saxon prays for judgment and relief as follows:

A. A preliminary and permanent injunction against Defendants' continued infringement, inducing of infringement, and contributing to infringement of the '555, '394, '689 and/or '621 patents (collectively the "Patents-In-Suit");

B. An award of damages in favor of Saxon and against Defendants sufficient to compensate Saxon for Defendants' infringement of the patents in suit, and an assessment of prejudgment interest and post-judgment interest;

C. A finding by the Court that this case is exceptional under 35 U.S.C. § 285;

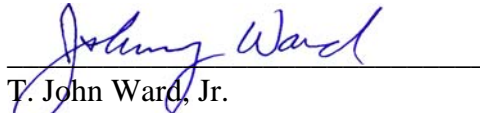
D. An award to Saxon of its reasonable expenses, including attorneys' fees and costs of this action; and

E. Such other and further relief as the Court finds just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rules of Civil Procedure Rule 38, Plaintiff Saxon hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "John Ward", is written over a horizontal line.

T. John Ward, Jr.

State Bar No. 00794818

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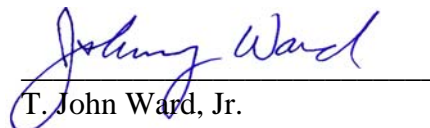
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document, PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT, was filed electronically on April 24, 2008 and as such, on April 24, 2008 this document was served on all parties of record who consented to electronic filing via the Court's CM/ECF system.


T. John Ward, Jr.